

**Before the  
Federal Communications Commission**

<b>In the Matter of</b>	)	
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<b>Restoring Internet Freedom</b>	)	<b>WC Docket No. 17-108</b>
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**Evo Inc**

5 June 2017

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## **Executive Summary**

Evo Inc helps families stay connected. Our innovative baby monitor product leverages advances in IoT technologies, our patented cry detection system (US Patent 9020622), business relationships with infant care experts and coaches, and business relationships with leading technology vendors and manufacturers in the US and overseas to deliver unique capabilities for parents with infants.

We support a truly open Internet, and we rely on it for our business. The FCC's proposal would allow the creation of a two-tiered Internet, stifling our ability to compete with big, established incumbents. Allowing big cable and wireless companies to pick winners and losers in the market will not only harm our business, but the ability of any new entrants to enter the market to compete fairly with incumbents (including the cable and wireless companies themselves).

We urge the FCC to sustain the existing, strong net neutrality rules, based on Title II of the Communications Act. The FCC should maintain bright line rules against blocking, throttling, and paid prioritization on both fixed and mobile connections, as well as maintain ongoing oversight of other types of discrimination.

### **I. Who We Are and What We Do**

Evo Inc started in 2010 with the simple insight that advances in Wi-Fi and consumer adoption of smartphones enabled baby monitors with no range limitation. We further realized that processing power and cloud connectivity enabled us to create features that had previously not been possible in consumer baby monitors, like cry detection and alerts, baby data logging, and content delivery. We have created baby monitoring systems for large brands as an OEM, and are now about to bring out our second generation video monitor under our own Evoz brand.

### **II. The FCC Should Sustain Its Existing Strong Net Neutrality Rules and The Existing Legal Framework Under Title II**

Evo's products are totally dependent on reliable and predictable connection to the wider Internet. Our most basic feature is media streaming from a baby monitor on Wi-Fi connected to the customer's home LAN to the customer's smartphone which may be in the home, on cellular

service, or on a Wi-Fi LAN that is unconnected to the home network. We depend on standard Internet protocols for the technology, and neutral access to the Internet for the transport. If ISPs can charge tolls for certain clients to receive preferential access to data, as a small company we can no longer provide reliable performance to our customers.

Smart home products in general are extremely dependent on open access to the Internet. Connectivity from the smart home accessory to the customer's smartphone uses Internet data pipes in both upstream and downstream configurations and any opportunity that ISPs have to charge for differential access will make it extremely difficult for small companies to provide competitive offers for customers. The innovations that Evo has brought to baby monitors could not be offered to customers if we had to pay a toll for the basic connectivity features. Given that big cable and wireless companies are also competitors in the smart home market, this is particularly concerning to us. We are happy to compete with these companies on feature set as long as the playing field is level in terms of access to the Internet.

The proposed approach under Title I would interfere with innovation, competition, and consumer choice online. Previous court rulings have said that an approach under Title I would preclude certain bright-line rules. Instead, the FCC is proposing a set of vague legal standards that would allow discrimination. Small companies like ours do not have the legal resources to address instances of discrimination, absent the existing bright line rules and authority for ongoing oversight. By the time the lengthy process of case-by-case review of anti-competitive behavior is complete, a startup like ours would simply not exist.

The FCC's existing framework works well. It should sustain its current approach under Title II; ban blocking, throttling, or paid prioritization of Internet traffic; and continue ongoing oversight of other discriminatory conduct.

Respectfully submitted,

/s/ Ruwan Welaratna

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